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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Sarah Johnson, as mother of MC, a minor
child,

Plaintiffs,

vs.

Peoria Unified School District; Cave Creek
Unified School District; Deer Valley Unified
School District; Debbie Burdick; Mark
Warren; Robert Miller; Nancy Shaver, Julie
Vandenberg; Sydney Meyers; Matthew
Owsley; Jennifer Purvis; Janiene Marlow; Jana
Miller; Joshua Rawlings; Monica Clay,

Defendants.

No.

Maricopa County Superior Court
Case No. CV2024-030858

Notice of Removal

PLEASE TAKE NOTICE that defendant Cave Creek Unified School District,
pursuant to 28 U.S.C. §§ 1441 and 1446, hereby removes the state court action described
above to this Court. The grounds for removal are as follows:

1. Plaintiffs commenced this action in the Superior Court of the State of
Arizona for the County of Maricopa on October 29, 2024, in Case Number CV2024-
030858.

1 2. On December 3, 2024, defendant Cave Creek Unified School District
2
3 received the Summons, Complaint, and Certificate of Compulsory Arbitration.

4 3. On information and belief, other than Plaintiffs' filing of the Complaint and
5
6 the Certificate of Compulsory Arbitration, no proceedings have been held in this action in
7
8 the Superior Court of the State of Arizona for the County of Maricopa as of the date of this
filing of Notice of Removal.

9 4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely as it has
10
11 been filed with this Court within thirty (30) days after receipt of the Complaint.

12 5. This Court has original jurisdiction over this case pursuant to 28 U.S.C. §
13
14 1331 because Plaintiffs' Complaint asserts a federal claim under Title VI of the Civil
15 Rights Act of 1964 (42 U.S.C. § 2000d).

16 6. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of all papers,
17
18 notices, process, pleadings, and orders provided to the Defendant are attached as **Exhibit 1**,
19 and by this reference are specifically made a part of this Notice of Removal.

20 7. Defendant Cave Creek Unified School District will promptly provide notice
21
22 of the filing of this Notice of Removal to counsel for Plaintiffs and a copy of this Notice of
23 Removal will be filed with the Clerk of the Superior Court of the State of Arizona for the
24 County of Maricopa, pursuant to 28 U.S.C. § 1446(d). Under 28 U.S.C. § 1441, and all
25 applicable statutes with which Defendant Cave Creek Unified School District has
26 complied, this action is removed to the United States District Court for the District of
27
28 Arizona.

Accordingly, Defendant Cave Creek Unified School District respectfully requests that this Court assume full jurisdiction over the action as provided by law.

DATED this 9th day of December, 2024.

WRIGHT WELKER & PAUOLE, PLC

By /s/ David K. Pauole
David K. Pauole
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Attorneys for Defendant Cave Creek
Unified School District

CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2024, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and mailed a copy to the following:

Robert T. Mills, Esq.
Sean A. Woods, Esq.
Mills + Woods Law, PLLC
5055 North 12th Street, Suite 101
Phoenix, AZ 85014
Attorneys for Plaintiffs

/s/ Cindy M. Opsahl
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